



*Consulting Engineers  
and Scientists*

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April 23, 2010  
(PBW Project No. 1597)

VIA ELECTRONIC MAIL AND FEDERAL EXPRESS

Mr. Gary Miller  
Superfund Division, Region 6 (6SF-RA)  
Arkansas/Texas Section  
U.S. Environmental Protection Agency  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Re: Confirmation of Respondents' Proposal to Perform Wetland Sediment Hot Spot  
Remediation as a Non-Time-Critical Removal Action, Gulfco Marine Maintenance Site,  
Freeport, Texas

Dear Mr. Miller:

Pastor, Behling & Wheeler, LLC (PBW) has prepared this letter on behalf of the Respondents LDL Coastal Limited LP (LDL), Chromalloy American Corporation (Chromalloy) and The Dow Chemical Company (Dow) to confirm your telephone discussion yesterday with Mr. Ray Merrell of Chromalloy and Mr. Donnie Belote of Dow. During that conversation, Mr. Merrell and Mr. Belote proposed that the Respondents noted above would perform hot spot remediation of wetland sediments as a Non-Time-Critical Removal Action.

As outlined by Mr. Merrell and Mr. Belote, details of the proposed wetland sediment hot spot remediation include the following:

- The wetland sediment removal action would be targeted to address areas where concentrations of chemicals of potential ecological concern (COPECs) that exceed the midpoint between their respective ecological screening levels: Effects Range Low (ERL) and Effects Range Medium (ERM) levels.
- Sediments in these areas would be remediated by excavation to a depth of 1 foot below grade, as previously demonstrated to be a conservative depth of impacted sediments, followed by backfilling to grade and wetland restoration.
- The proposed wetland sediment remediation would be performed under the Settlement Agreement and Order on Consent for Removal Action (AOC) currently being finalized for the aboveground storage tank (AST) tank farm and former surface impoundments cap.
- Depending on the specific volumes of sediment excavated, some or all of the excavated material would be placed under the repaired cap of the former surface impoundments. Any excavated material not placed under the cap would be managed at an off-site disposal facility.
- A work plan detailing the proposed wetland sediment remediation activities will be submitted to you by next Thursday, April 29, 2010. The work plan will be prepared such that it could be inserted directly into the existing Removal Action Work Plan for the AST

tank farm and former impoundments cap as a new Section IV in the existing work plan. The work plan will include a site map delineating the specific proposed sediment hot spot remediation areas. A proposed schedule for the wetland sediment hot spot remediation will also be included in the work plan and that schedule will indicate that the wetland sediment remediation work would be performed concurrent with the former surface impoundments cap repair. Depending on the date when the AOC for this work is finalized, that schedule would allow for completion of the wetland hot spot remediation field activities, as well as the AST tank farm removal action and former surface impoundments cap repair, by late this summer.

- In conjunction with the wetland sediment hot spot remediation work, the Respondents are also willing to commit to pursuing with the respective landowners the establishment of a conservation easement for the relevant wetlands associated with the site north of Marlin Avenue.
- In addition to the work plan, the Respondents will also provide draft language intended to allow performance of the proposed sediment remediation under the AOC to EPA by April 29, 2010.

To facilitate the implementation of the wetland sediment hot spot removal action, we would like to meet with your team (technical and legal representatives) on May 4 in Dallas to review the proposed activities in detail and discuss any questions/concerns that you might have. In addition, we would like to discuss why we believe the Site data support a risk management decision for no further evaluation of soils, Intracoastal Waterway or pond sediments, or surface water. We will distribute a proposed agenda and presentation slides to you for your review prior to the meeting. We are committed to implementing the field work concurrently with the AST tank farm removal action and the former surface impoundments cap repair to avoid any further delay in site restoration. Preparation of the Final Screening Level Ecological Risk Assessment (SLERA) based on the review comments provided in your April 14, 2010 letter remains on track for delivery by the specified deadline of May 4 prior to our meeting.

Consistent with the proposed development and implementation of a removal action approach to address wetland sediments in the most expeditious and constructive manner possible, we request that the deadlines for finalizing the Baseline Ecological Risk Assessment (BERA) Problem Formulation and Work Plan & Sampling and Analysis Plan as provided in a separate April 14, 2010 letter from you be temporarily stayed until the proposed removal action approach has been evaluated and a decision made regarding its implementation.

Thank you for your consideration of this proposal. Please advise us as soon as possible of your team's availability to meet on May 4. Should you have any questions, please do not hesitate to contact Mr. Merrell (201-343-1122), Mr. Belote (979-238-5568) or myself (512-671-3434).

Sincerely,

PASTOR, BEHLING & WHEELER, LLC



Eric F. Pastor, P.E.  
Principal Engineer

Mr. Gary Miller

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cc: Ms. Barbara Nann – US Environmental Protection Agency  
Ms. Luda Voskov – Texas Commission on Environmental Quality  
Mr. Ray Merrell – Sequa Corporation  
Mr. Brent Murray – Environmental Quality, Inc.  
Mr. Donnie Belote - The Dow Chemical Company  
Mr. Allen Daniels - LDL Coastal Limited, LP  
Mr. F. William Mahley - Strasburger & Price, LLP  
Mr. James C. Morriss III - Thompson & Knight, LLP  
Ms. Elizabeth Webb - Thompson & Knight, LLP  
Mr. Ron Gouguet – Windward Environmental, LLC